

## **OFFICERS OF THE HOUSE**

B. PATRICK BAUER, *Speaker of the House*

RUSSELL L. STILWELL, *Majority Floor Leader*

F. DALE GRUBB, *Majority Caucus Chair*

CHESTER F. DOBIS, *Speaker Pro Tempore*

EARL L. HARRIS, *Deputy Speaker Pro Tempore*

ROBERT J. BISCHOFF, *Speaker Pro Tempore Emeritus*

DENNIE OXLEY II, *Majority Whip*

VERNON G. SMITH, *Indiana Black Legislative Caucus*

PAUL J. ROBERTSON, *Assistant Majority Floor Leader*

KREG S. BATTLES, *Assistant Majority Caucus Chair*

NANCY J. DEMBOWSKI, *Assistant Majority Caucus Chair*

DAVID G. CHEATHAM, *Assistant Majority Whip*

PHILIP K. GIA QUINTA, *Assistant Majority Whip*

BRIAN C. BOSMA, *Minority Leader*

WILLIAM C. FRIEND, *Minority Floor Leader*

KATHY K. RICHARDSON, *Minority Caucus Chair*

DAVID FRIZZELL, *Minority Whip*

P. ERIC TURNER, *Assistant Minority Leader*

JACKIE S. WALORSKI, *Assistant Minority Floor Leader*

THOMAS E. SAUNDERS, *Assistant Minority Caucus Chair*

JAMES R. BUCK, *Assistant Minority Caucus Chair*

MARLIN A. STUTZMAN, *Assistant Minority Whip*

GERALD R. TORR, *Assistant Minority Whip*

CLINTON McKAY, *Principal Clerk*

PATRICK J. CUNNINGHAM, JR., *Chief of Staff*

JOHN TAYLOR, *Parliamentarian*

J. D. LUX, *Chief Counsel*





# Journal of the House

State of Indiana

115th General Assembly

Second Regular Session

First Meeting Day

Tuesday Afternoon

November 20, 2007

The members of the House of Representatives of the One Hundred Fifteenth General Assembly of the State of Indiana assembled in the House Chambers in the State House in the City of Indianapolis on Tuesday, the twentieth day of November, 2007, A.D., at 1:30 p.m., being the day fixed by law for the convening of the second regular session of the General Assembly, viz:

"...the second regular session of each term of the general assembly shall convene on the third Tuesday after the first Monday of November of each odd-numbered year..."

The House was called to order by Speaker B. Patrick Bauer.

The Speaker stated, "Having conferred with the Attorney General and no objection being raised, the temporary House policy implemented during the First Regular Session will continue while the prayer lawsuit continues through the appellate process.

The Speaker read a prayer for health and well-being: "Almighty God, we come before you today humbled by the magnitude of the responsibilities of this office.

Fill our hearts with confidence and a renewed faith in our work.

As the foundation of our faith, we ask you to guide, protect, and strengthen us during the Second Regular Session of the 115th Indiana General Assembly.

We pray for the health, enlightenment and well-being of this legislative body.

We thank you for the continuity of government that this assembly represents and for the many blessings granted to this state throughout its history.

Guide and bless these men and women who have been sent here by the people of Indiana and who have been ordained by You to government this great state.

Amen."

The Pledge of Allegiance to the Flag was led by Representative Lawrence L. Buell.

Lindsay Shipps, the House roll call clerk, sang "God Bless America".

## FILLING VACANT LEGISLATIVE OFFICES

### District 10

June 27, 2007

The Honorable B. Patrick Bauer  
Speaker of the House  
Indiana House of Representatives  
200 W. Washington St.  
Indianapolis, IN 46204

Dear Speaker Bauer:

This letter is to inform you that I hereby resign my office of State Representative from House District 10, effective June 27, 2007.

It has been an honor and a privilege to serve my District and the great State of Indiana. I am truly grateful for the guidance and support you have shown me over the years, and I wish you the best of luck in the future.

Sincerely,

Duane Cheney  
State Representative

### CERTIFICATION OF APPOINTMENT TO FILL A VACANCY IN A STATE REPRESENTATIVE OFFICE BY A PRECINCT COMMITTEEMAN CAUCUS

TO THE SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES:

This is to certify the following:

(1) A vacancy occurred in the office of State Representative, District 10.

(2) The vacancy occurred due to the resignation of Duane Cheney.

(3) The incumbent was elected or appointed as a candidate of the Democratic Party.

(4) I am the state chairman, or person designated by the state chairman to conduct the caucus, of the Democratic Party.

(5) A caucus of eligible precinct committeemen was held on July 8, 2007, to fill the vacancy in this office. The caucus was held following the giving of notice required under Indiana Code 3-13-5-2.

(6) The members of the caucus selected, by majority vote of those casting a vote for a candidate, the person named below to hold an appointment to this office for the remaining unexpired term.

(7) The person holding the appointment to this office is a registered voter of a precinct within the election district for the office, complies with the other requirements imposed under Indiana law for this office, and consents to this appointment by the declaration of candidacy, which was timely filed in accordance with Indiana Code 3-13-5-3, and is incorporated by reference in this certificate.

(8) This appointment is effective July 9, 2007.

(9) The person appointed to this office is Jack R. Clem of Portage.

I, the State Chairman, or person designated by the state chairman to conduct this caucus of the Democratic Party, certify

that the information in this Certificate is true and complete.

Signed: Daniel J. Parker

Dated: July 8, 2007

Notarized: Kathryn A. Kozuszek of Porter County, whose commission expires February 14, 2015

July 9, 2007

Dan Parker, Chair  
Indiana State Democratic Party  
One North Capitol, Suite 200  
Indianapolis, IN 46204

Dear Chairman Parker:

I acknowledge receipt of the Certificate of Appointment to Fill a Vacancy in a State Representative Office by a Precinct Committeeman Caucus regarding Jack R. Clem, House District 10, filed by you with my office this date.

Sincerely,

B. Patrick Bauer  
Speaker of the House

#### NOTIFICATION TO SECRETARY OF STATE

July 9, 2007

The Honorable Todd Rokita  
Indiana Secretary of State  
201 State House  
Indianapolis, IN 46204

Dear Secretary Rokita:

This is to officially notify you that this office has received from the Chair of the Indiana Democratic Committee, a copy of the certification of the election of Jack R. Clem to represent State House District 10, filling the vacancy created by the resignation of Duane Cheney. Representative Clem was duly elected on July 8, 2007, in a caucus of precinct committee persons in District 10.

Sincerely,

B. Patrick Bauer  
Speaker of the House

#### CERTIFICATE OF SELECTION TO A STATE LEGISLATIVE OFFICE

TO THE HONORABLE B. PATRICK BAUER  
SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 10, due to the resignation of the Honorable Duane Cheney, who was elected to office as a candidate of the Indiana Democratic Party;

WHEREAS, On July 8, 2007, a caucus composed of Democratic Party precinct committeemen from Indiana House District 10 selected Jack R. Clem to fill the vacancy in House District 10;

WHEREAS, The State Chairman of the Indiana Democratic Party certified the selection of Jack R. Clem to fill the vacancy in office of Indiana State Representative, District 10, to the Speaker of the House of Representatives and the Speaker of the House of Representatives acknowledged receipt of the certification;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable Jack R. Clem has been selected to fill the vacancy existing in the office of Indiana State Representative, District 10.

*Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 10th day of July, 2007, being the 232nd year of the Independence of the United States, and the 191st year of the Statehood of Indiana.*

TODD ROKITA  
Secretary of the State of Indiana

Representative-elect Clem was sworn into office on July 17, 2007, by Justice Frank Sullivan, Jr. The oath of office is: "I, Jack R. Clem, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

*Sworn before me, Frank Sullivan, Jr., Justice of the Supreme Court of Indiana, this 17th day of July, 2007.*

October 10, 2007

The Honorable Todd Rokita  
Indiana Secretary of State  
201 State House  
Indianapolis, IN 46204

Re: IC 5-8-6 **Notice of Death of an Officeholder**

Dear Secretary Rokita:

It is with deepest regret that I inform you of the passing of State Representative Jack R. Clem, House District 10. The facts as know by me are that Representative Clem passed away on Friday, October 5, 2007, at the Porter Valparaiso Hospital Campus.

I have enclosed for your review Representative Clem's obituary that appeared in the *NWI Times* and a news article printed in the same media outlet. Should you require additional information, please feel free to contact me.

Sincerely,

Patrick J. Cunningham, Jr.  
Chief Legal Counsel  
House Majority Caucus

#### CERTIFICATION

I affirm under the pains and penalties of perjury, that to the best of my knowledge and belief, the information stated above is true.

Signed:

Patrick J. Cunningham, Jr.

Date:

October 10, 2007

CERTIFICATION OF  
APPOINTMENT TO FILL A VACANCY  
IN A STATE REPRESENTATIVE OFFICE  
BY A PRECINCT COMMITTEEMAN CAUCUS

TO THE SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES:

This is to certify the following:

- (1) A vacancy occurred in the office of State Representative, District 10.
- (2) The vacancy occurred due to the death of Jack Clem.
- (3) The incumbent was elected or appointed as a candidate of the Democratic Party.
- (4) I am the state chairman, or person designated by the state chairman to conduct the caucus, of the Democratic Party.
- (5) A caucus of eligible precinct committeemen was held on October 27, 2007, to fill the vacancy in this office. The caucus was held following the giving of notice required under Indiana Code 3-13-5-2.
- (6) The members of the caucus selected, by majority vote of those casting a vote for a candidate, the person named below to hold an appointment to this office for the remaining unexpired term.
- (7) The person holding the appointment to this office is a registered voter of a precinct within the election district for the office, complies with the other requirements imposed under Indiana law for this office, and consents to this appointment by the declaration of candidacy, which was timely filed in accordance with Indiana Code 3-13-5-3, and is incorporated by reference in this certificate.
- (8) This appointment is effective October 27, 2007.
- (9) The person appointed to this office is Gregory Simms of Valparaiso.

I, the State Chairman, or person designated by the state chairman to conduct this caucus of the Democratic Party, certify that the information in this Certificate is true and complete.

Signed: Daniel J. Parker  
Dated: October 27, 2007

Notarized: Clay M. Patton of Porter County, whose commission expires September 7, 2012

October 29, 2007

Dan Parker, Chair  
Indiana State Democratic Party  
One North Capitol, Suite 200  
Indianapolis, IN 46204

Dear Chairman Parker:

I acknowledge receipt of the Certificate of Appointment to Fill a Vacancy in a State Representative Office by a Precinct Committeeman Caucus regarding Gregory Simms, House District 10, filed by you with my office this date.

Sincerely,  
B. Patrick Bauer  
Speaker of the House

NOTIFICATION TO  
SECRETARY OF STATE

October 29, 2007

The Honorable Todd Rokita  
Indiana Secretary of State  
201 State House  
Indianapolis, IN 46204

Dear Secretary Rokita:

This is to officially notify you that this office has received from the Chair of the Indiana Democratic Committee, a copy of the certification of the election of Gregory Simms to represent State House District 10, filling the vacancy created by the death of Jack R. Clem. Representative Simms was duly elected on October 27, 2007, in a caucus of precinct committee persons in District 10.

Sincerely,

B. Patrick Bauer  
Speaker of the House

CERTIFICATE OF SELECTION  
TO A STATE LEGISLATIVE OFFICE

TO THE HONORABLE B. PATRICK BAUER  
SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 10, due to the death of the Honorable Jack R. Clem, who was selected to fill that office by the Indiana Democratic Party;

WHEREAS, On October 27, 2007, a caucus composed of Democratic Party precinct committeemen from Indiana House District 10 selected Gregory Simms to fill the vacancy in House District 10;

WHEREAS, The State Chairman of the Indiana Democratic Party certified the selection of Gregory Simms to fill the vacancy in office of Indiana State Representative, District 10, to the Speaker of the House of Representatives and the Speaker of the House of Representatives acknowledged receipt of the certification;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable Gregory Simms has been selected to fill the vacancy existing in the office of Indiana State Representative, District 10.

*Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 31st day of October, 2007, being the 232nd year of the Independence of the United States, and the 191st year of the Statehood of Indiana.*

TODD ROKITA  
Secretary of the State of Indiana

Representative-elect Simms was sworn into office on

November 7, 2007, by Justice Frank Sullivan, Jr. The oath of office is: "I, Gregory Simms, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

*Sworn before me, Frank Sullivan, Jr., Justice of the Supreme Court of Indiana, this 7th day of November, 2007.*

### District 19

June 26, 2007

The Honorable B. Patrick Bauer  
Speaker of the House  
Indiana House of Representatives  
200 W. Washington St.  
Indianapolis, IN 46204

Dear Speaker Bauer:

I regret to inform you as of June 26, 2007, I hereby resign as a member of the Indiana General Assembly.

Our long association has been a very happy one for me. I leave you, and the caucus, with sincere gratitude and best wishes for your continued success.

Very truly yours,

Robert D. Kuzman  
State Representative

### CERTIFICATION OF APPOINTMENT TO FILL A VACANCY IN A STATE REPRESENTATIVE OFFICE BY A PRECINCT COMMITTEEMAN CAUCUS

TO THE SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES:

This is to certify the following:

(1) A vacancy occurred in the office of State Representative, District 19.

(2) The vacancy occurred due to the resignation of Robert Kuzman.

(3) The incumbent was elected or appointed as a candidate of the Democratic Party.

(4) I am the state chairman, or person designated by the state chairman to conduct the caucus, of the Democratic Party.

(5) A caucus of eligible precinct committeemen was held on July 8, 2007, to fill the vacancy in this office. The caucus was held following the giving of notice required under Indiana Code 3-13-5-2.

(6) The members of the caucus selected, by majority vote of those casting a vote for a candidate, the person named below to hold an appointment to this office for the remaining unexpired term.

(7) The person holding the appointment to this office is a registered voter of a precinct within the election district for the office, complies with the other requirements imposed under Indiana law for this office, and consents to this appointment by the declaration of candidacy, which was timely filed in

accordance with Indiana Code 3-13-5-3, and is incorporated by reference in this certificate.

(8) This appointment is effective July 9, 2007.

(9) The person appointed to this office is Rochelle "Shelli" VanDenburgh of Crown Point.

I, the State Chairman, or person designated by the state chairman to conduct this caucus of the Democratic Party, certify that the information in this Certificate is true and complete.

Signed: Daniel J. Parker

Dated: July 8, 2007

Notarized: Esther Tonevich of Lake County, whose commission expires June 26, 2012

July 9, 2007

Dan Parker, Chair  
Indiana State Democratic Party  
One North Capitol, Suite 200  
Indianapolis, IN 46204

Dear Chairman Parker:

I acknowledge receipt of the Certificate of Appointment to Fill a Vacancy in a State Representative Office by a Precinct Committeeman Caucus regarding Rochelle "Shelli" VanDenburgh, House District 19, filed by you with my office this date.

Sincerely,

B. Patrick Bauer  
Speaker of the House

### NOTIFICATION TO SECRETARY OF STATE

July 9, 2007

The Honorable Todd Rokita  
Indiana Secretary of State  
201 State House  
Indianapolis, IN 46204

Dear Secretary Rokita:

This is to officially notify you that this office has received from the Chair of the Indiana Democratic Committee, a copy of the certification of the election of Rochelle "Shelli" VanDenburgh to represent State House District 19, filling the vacancy created by the resignation of Robert Kuzman. Representative VanDenburgh was duly elected on July 8, 2007, in a caucus of precinct committee persons in District 19.

Sincerely,

B. Patrick Bauer  
Speaker of the House

### CERTIFICATE OF SELECTION TO A STATE LEGISLATIVE OFFICE

TO THE HONORABLE B. PATRICK BAUER  
SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 19, due to the resignation of the Honorable Robert Kuzman, who was elected to office as a candidate of the Indiana Democratic Party;

WHEREAS, On July 8, 2007, a caucus composed of Democratic Party precinct committeemen from Indiana House District 19 selected Rochelle "Shelli" VanDenburgh to fill the vacancy in House District 19;

WHEREAS, The State Chairman of the Indiana Democratic Party certified the selection of Rochelle "Shelli" VanDenburgh to fill the vacancy in office of Indiana State Representative, District 19, to the Speaker of the House of Representatives and the Speaker of the House of Representatives acknowledged receipt of the certification;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable Rochelle "Shelli" VanDenburgh has been selected to fill the vacancy existing in the office of Indiana State Representative, District 19.

*Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 10th day of July, 2007, being the 232nd year of the Independence of the United States, and the 191st year of the Statehood of Indiana.*

TODD ROKITA

Secretary of the State of Indiana

Representative-elect VanDenburgh was sworn into office on July 17, 2007, by Justice Frank Sullivan, Jr. The oath of office is: "I, Rochelle VanDenburgh, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

*Sworn before me, Frank Sullivan, Jr., Justice of the Supreme Court of Indiana, this 17th day of July, 2007.*

#### District 40

July 23, 2007

The Honorable B. Patrick Bauer  
Speaker of the House  
Indiana House of Representatives  
200 W. Washington St.  
Indianapolis, IN 46204

Dear Speaker Bauer:

Please be advised that this letter serves as my official written notice of resignation from the General Assembly of the State of Indiana, in accordance with IC 5-8-3.5-1. I hereby resign my position as State Representative of House District 40, effective August 3, 2007.

I also resign all positions to which I have been appointed by leadership as a member of the General Assembly.

Sincerely,

Matt D. Whetstone  
State Representative

#### CERTIFICATION OF APPOINTMENT TO A VACANT STATE LEGISLATIVE OFFICE

TO THE HONORABLE B. PATRICK BAUER  
SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES:

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 40, on August 3, 2007, due to the resignation of the Honorable Matthew D. Whetstone, who was elected to office as a candidate of the Indiana Republican Party;

WHEREAS, The duly elected and acting state chairman of the Indiana Republican Party set the place, date, and time of a caucus comprised of the eligible precinct committeemen from Indiana House District 40 and sent a notice by first class mail to all precinct committeemen in the caucus at least ten (10) days before the date of the meeting, setting forth the purpose, place, date, and time of the meeting;

WHEREAS, The duly appointed designee of the state chairman presided over the aforesaid caucus, which was conducted on August 18, 2007, this date being not later than thirty (30) days after the vacancy occurred;

WHEREAS, The caucus, voting by secret ballot, and a majority vote of those casting a vote for a candidate, selected an individual who resides within Indiana House District 40 to fill this vacancy;

WHEREAS, The individual selected to fill the aforesaid vacancy had filed a declaration of candidacy with the chairman of the caucus, and had previously filed a statement of economic interests under Indiana Code 2-2.1-3-2 with the Principal Clerk of the Indiana House of Representatives, at least seventy-two (72) hours before the time fixed for the caucus, all as required by Indiana Code 3-13-5-3;

WHEREAS, Under Indiana Code 3-13-5-6, the state chairman is required to certify the name of the individual selected under Indiana Code 3-13-5-1 to fill this vacancy to the Speaker of the House of Representatives; and

WHEREAS, Under Indiana Code 3-13-5-6, the Speaker of the House of Representatives is required to acknowledge receipt of this certification, submit a copy of the certificate to be included in the Journal of the House of Representatives on the day when the individual is seated, (or if this certificate is received after the adjournment *sine die* of the General Assembly, on the first day that the House of Representatives is in session following receipt of this certificate), and immediately forward the certificate to the Secretary of State of Indiana: NOW, THEREFORE,

AS THE DULY ELECTED  
AND ACTING CHAIRMAN OF THE  
INDIANA REPUBLICAN STATE COMMITTEE,

(1) I certify that Gregory E. Steuerwald was selected by the aforesaid caucus to fill the vacancy existing in the Office of Indiana House of Representatives, District 40;

(2) I request that the Speaker of the House of Representatives acknowledge receipt of this Certificate by his signature below as provided for by Indiana Code 3-13-5-6;

(3) I request that the Speaker of the House of Representatives include a copy of this Certificate in the Journal of the House of Representatives as provided by Indiana Code 3-13-5-6; and

(4) I request that this Certificate be immediately forwarded to the Secretary of State, as provided by Indiana Code 3-13-5-6.

CERTIFIED, THIS THE 20TH DAY OF AUGUST, 2007:

J. Murray Clark,  
Indiana Republican State Chairman

ACKNOWLEDGMENT OF RECEIPT BY THE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

I hereby acknowledge receipt of this Certificate by my signature below this 20th day of August, 2007.

Signed: B. Patrick Bauer  
Speaker of the Indiana House of Representatives

NOTIFICATION TO  
SECRETARY OF STATE

August 20, 2007

The Honorable Todd Rokita  
Indiana Secretary of State  
201 State House  
Indianapolis, IN 46204

Dear Secretary Rokita:

This is to officially notify you that this office has received from the Chair of the Indiana Republican Committee, a copy of the certification of the election of Gregory E. Steuerwald to represent State House District 40, filling the vacancy created by the resignation of Matthew Whetstone. Representative Steuerwald was duly elected on August 20, 2007, in a caucus of precinct committee persons in District 40.

Sincerely,  
B. Patrick Bauer  
Speaker of the House

CERTIFICATE OF SELECTION  
TO A STATE LEGISLATIVE OFFICE

TO THE HONORABLE B. PATRICK BAUER  
SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 40, on August 3, 2007, due to the resignation of the Honorable Matthew Whetstone, who was elected to office as a candidate of the Indiana Republican Party;

WHEREAS, On August 18, 2007, a caucus composed of Republican Party precinct committeemen from Indiana House District 40 selected Gregory E. Steuerwald to fill the vacancy in House District 40;

WHEREAS, The State Chairman of the Indiana Republican Party certified the selection of Gregory E. Steuerwald to fill the vacancy in office of Indiana State Representative, District 40, to the Speaker of the House of Representatives on August 20, 2007, and the Speaker of the House of Representatives acknowledged receipt of the certification on August 20, 2007;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, on August 20, 2007, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable Gregory E. Steuerwald has been selected to fill the vacancy existing in the office of Indiana State Representative, District 40.

*Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 21st day of August, 2007, being the 232nd year of the Independence of the United States, and the 191st year of the Statehood of Indiana.*

TODD ROKITA  
Secretary of the State of Indiana

Representative-elect Steuerwald was sworn into office on September 5, 2007 by Randall T. Shepard, Chief Justice of Indiana. The oath of office is: "I, Gregory E. Steuerwald, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

*Sworn before me, Randall T. Shepard, Chief Justice of Indiana, this 5th day of September, 2007.*

**District 62**

November 7, 2007

The Honorable B. Patrick Bauer  
Speaker of the House  
Indiana House of Representatives  
200 W. Washington St.  
Indianapolis, IN 46204

Dear Speaker Bauer:

Please be advised that this letter shall serve as my official written notice of resignation from the Indiana House of Representatives in accordance with Indiana Code. I hereby resign my position as a State Representative of House District 62, effective November 7, 2007.

It is with much careful thought that this decision was made. The past 17 years have been an enjoyable experience, and I leave with many fond memories. Through your leadership and our team work, we have had a positive impact on the citizens of Indiana, particularly those of my southern Indiana district.

It has truly been an honor and a privilege to serve District 62 and the great state of Indiana. I am particularly grateful, Mr. Speaker, for all that you have done to make my tenure a success, but above all, I am most appreciative for the close friendship you and I have established and maintained. Pat, I leave knowing that it is a genuine and binding friendship which will last a lifetime. I will always have the utmost admiration and respect for you, not only as a fine governmental leader, but as a great individual as well. I wish you the best of luck in the future, and may God be with you.

Sincerely,

Jerry L. Denbo  
State Representative

CERTIFICATION OF  
APPOINTMENT TO FILL A VACANCY  
IN A STATE REPRESENTATIVE OFFICE  
BY A PRECINCT COMMITTEEMAN CAUCUS

TO THE SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES:

This is to certify the following:

- (1) A vacancy occurred in the office of State Representative, District 62.
  - (2) The vacancy occurred due to the resignation of Jerry Denbo.
  - (3) The incumbent was elected or appointed as a candidate of the Democratic Party.
  - (4) I am the state chairman, or person designated by the state chairman to conduct the caucus, of the Democratic Party.
  - (5) A caucus of eligible precinct committeemen was held on November 19, 2007, to fill the vacancy in this office. The caucus was held following the giving of notice required under Indiana Code 3-13-5-2.
  - (6) The members of the caucus selected, by majority vote of those casting a vote for a candidate, the person named below to hold an appointment to this office for the remaining unexpired term.
  - (7) The person holding the appointment to this office is a registered voter of a precinct within the election district for the office, complies with the other requirements imposed under Indiana law for this office, and consents to this appointment by the declaration of candidacy, which was timely filed in accordance with Indiana Code 3-13-5-3, and is incorporated by reference in this certificate.
  - (8) This appointment is effective November 20, 2007.
  - (9) The person appointed to this office is Sandra Blanton of Orleans.
- I, the State Chairman, or person designated by the state chairman to conduct this caucus of the Democratic Party, certify that the information in this Certificate is true and complete.

Signed: Daniel J. Parker

Dated: November 19, 2007

Notarized: Larry Boyer of Orange County, whose commission expires April 11, 2015

November 20, 2007

Dan Parker, Chair  
Indiana State Democratic Party  
One North Capitol, Suite 200  
Indianapolis, IN 46204

Dear Chairman Parker:

I acknowledge receipt of the Certificate of Appointment to Fill a Vacancy in a State Representative Office by a Precinct Committeeman Caucus regarding Sandra Blanton, House District 62, filed by you with my office this date.

Sincerely,  
B. Patrick Bauer  
Speaker of the House

NOTIFICATION TO  
SECRETARY OF STATE

November 20, 2007

The Honorable Todd Rokita  
Indiana Secretary of State  
201 State House  
Indianapolis, IN 46204

Dear Secretary Rokita:

This is to officially notify you that this office has received from the Chair of the Indiana Democratic Committee, a copy of the certification of the appointment of Sandra Blanton to represent State House District 62, filling the vacancy created by the resignation of Jerry L. Denbo. Representative Blanton was duly elected on November 19, 2007, in a caucus of precinct committee persons in District 62.

Sincerely,

B. Patrick Bauer  
Speaker of the House

CERTIFICATE OF SELECTION  
TO A STATE LEGISLATIVE OFFICE

TO THE HONORABLE B. PATRICK BAUER  
SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 62, due to the resignation of the Honorable Jerry L. Denbo, who was selected to fill that office by the Indiana Democratic Party;

WHEREAS, On November 19, 2007, a caucus composed of Democratic Party precinct committeemen from Indiana House District 62 selected Sandra Blanton to fill the vacancy in House District 62;

WHEREAS, The State Chairman of the Indiana Democratic Party certified the selection of Sandra Blanton to fill the vacancy in office of Indiana State Representative, District 62, to the Speaker of the House of Representatives and the Speaker of the House of Representatives acknowledged receipt of the certification;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable Sandra Blanton has been selected to fill the vacancy existing in the office of Indiana State Representative, District 62.

*Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 20th day of November, 2007, being the 232nd year of the Independence of the United States, and the 191st year of the Statehood of Indiana.*

TODD ROKITA  
Secretary of the State of Indiana

Representative-elect Blanton was sworn into office on November 20, 2007, by Justice Frank Sullivan, Jr. The oath of

office is: "I, Sandra Blanton, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

*Sworn before me, Frank Sullivan, Jr., Justice of the Supreme Court of Indiana, this 20th day of November, 2007.*

## ROLL CALL OF MEMBERS

The roll was called and the following members answered to their names:

Terri Jo Austin, District 36, Hamilton and Madison Counties  
 Dennis T. Avery, District 75, Gibson, Vanderburgh, and Warrick Counties  
 Jeb A. Bardon, District 25, Marion County  
 Kreg S. Battles, District 64, Daviess, Gibson, Knox, and Pike Counties  
 B. Patrick Bauer, District 6, St. Joseph County  
 Robert W. Behning, District 91, Hendricks, Marion, and Morgan Counties  
 Matthew P. Bell, District 83, Allen, Noble, and Whitley Counties  
 Robert J. Bischoff, District 68, Dearborn, Franklin, Ohio, Ripley, and Switzerland Counties  
 Sandra L. Blanton, District 62, Greene, Lawrence, Martin, Orange, and Washington Counties  
 Bruce A. Borders, District 45, Daviess, Greene, Knox, Sullivan, and Vigo Counties  
 Randy L. Borrer, District 84, Allen County  
 Brian C. Bosma, District 88, Hamilton and Marion Counties  
 Charlie Brown, District 3, Lake and Porter Counties  
 Timothy N. Brown, District 41, Montgomery, Parke, and Tippecanoe Counties  
 James R. Buck, District 38, Boone, Clinton, Hamilton, and Howard Counties  
 Lawrence L. Buell, District 89, Marion County  
 Charles "Woody" Burton, District 58, Johnson County  
 Mara Candelaria Reardon, District 12, Lake County  
 David G. Cheatham, District 69, Jefferson, Jennings, and Ripley Counties  
 Robert W. Cherry, District 53, Hancock, Rush, and Shelby Counties  
 William C. Cochran, District 72, Clark and Floyd Counties  
 William A. Crawford, District 98, Marion County  
 David L. Crooks, District 63, Daviess, Dubois, Martin, and Pike Counties  
 Suzanne M. Crouch, District 78, Spencer, Vanderburgh, and Warrick Counties  
 Bill J. Davis, District 33, Delaware, Jay, and Randolph Counties

John J. Day, District 100, Marion County  
 Nancy J. Dembowski, District 17, LaPorte, Marshall, and Starke Counties  
 Thomas P. Dermody, District 20, Jasper, LaPorte, Porter, and Pulaski Counties  
 Mae Dickinson, District 95, Marion County  
 Chester F. Dobis, District 13, Lake County  
 Richard A. Dodge, District 51, Dekalb and Steuben Counties  
 Cleo R. Duncan, District 67, Decatur, Franklin, Ripley, and Rush Counties  
 Ryan M. Dvorak, District 8, St. Joseph County  
 Sean R. Eberhart, District 57, Bartholomew and Shelby Counties  
 Jonathan R. Elrod, District 97, Marion County  
 Jeffrey K. Espich, District 82, Allen, Grant, and Wells Counties  
 Ralph M. Foley, District 47, Hendricks, Johnson, Morgan, and Owen Counties  
 William C. Friend, District 23, Elkhart, Fulton, Kosciusko, Marshall, and Miami Counties  
 David N. Frizzell, District 93, Johnson and Marion Counties  
 Craig R. Fry, District 5, Elkhart and St. Joseph Counties  
 Philip K. GiaQuinta, District 80, Allen County  
 Terry A. Goodin, District 66, Clark, Jackson, Jennings, and Scott Counties  
 F. Dale Grubb, District 42, Fountain, Parke, Vermillion, Vigo, and Warren Counties  
 Eric A. Gutwein, District 16, Cass, Fulton, Jasper, Pulaski, and White Counties  
 Earl L. Harris, District 2, Lake County  
 Timothy W. Harris, District 31, Blackford and Grant Counties  
 Ronald D. Herrell, District 30, Howard County  
 Phillip D. Hinkle, District 92, Marion County  
 Phil Hoy, District 77, Vanderburgh and Warrick Counties  
 Clyde Kersey, District 43, Clay and Vigo Counties  
 Sheila A. Klinker, District 27, Tippecanoe County  
 Thomas D. Knollman, District 55, Dearborn, Fayette, Franklin, Union, and Wayne Counties  
 Eric A. Koch, District 65, Bartholomew, Brown, Jackson, and Lawrence Counties  
 Linda C. Lawson, District 1, Lake County  
 Donald J. Lehe, District 15, Benton, Lake, Newton, and White Counties  
 Daniel J. Leonard, District 50, Huntington and Whitley Counties  
 L. Jack Lutz, District 35, Delaware, Hamilton, Madison, and Tipton Counties  
 Carolene R. Mays, District 94, Marion County

Richard W. McClain, District 24, Carroll, Cass, Miami, and White Counties

Joe Micon, District 26, Tippecanoe and Warren Counties

Winfield C. Moses, Jr., District 81, Allen County

Michael B. Murphy, District 90, Marion County

Timothy Neese, District 48, Elkhart and St. Joseph Counties

David L. Niezgodski, District 7, St. Joseph County

Cynthia J. Noe, District 87, Boone, Hamilton, and Marion Counties

David Orentlicher, District 86, Hamilton and Marion Counties

Dennie Oxley II, District 73, Clark, Crawford, Dubois, Harrison, Jackson, Perry, Scott, and Washington Counties

Scott D. Pelath, District 9, LaPorte County

Phillip C. Pflum, District 56, Henry and Wayne Counties

Matt Pierce, District 61, Monroe County

Phyllis J. Pond, District 85, Allen and Dekalb Counties

Gregory W. Porter, District 96, Marion County

Scott E. Reske, District 37, Madison County

Kathy Kreag Richardson, District 29, Hamilton and Hancock Counties

Michael A. Ripley, District 79, Adams, Allen, and Wells Counties

Paul J. Robertson, District 70, Clark, Floyd, and Harrison Counties

William J. Ruppel, District 22, Kosciusko and Wabash Counties

Thomas E. Saunders, District 54, Henry, Randolph, and Wayne Counties

Gregory J. Simms, District 10, Porter County

Milo E. Smith, District 59, Bartholomew and Johnson Counties

Vernon G. Smith, District 14, Lake County

Edmond L. Soliday, District 4, Jasper, Lake, and Porter Counties

Steven R. Stemler, District 71, Clark County

Gregory E. Steuerwald, District 40, Hendricks County

Dan C. Stevenson, District 11, Lake County

Russell L. Stilwell, District 74, Dubois, Perry, Spencer, and Warrick Counties

Marlin A. Stutzman, District 52, Dekalb, LaGrange and Noble Counties

Vanessa J. Summers, District 99, Marion County

Amos P. Thomas, District 44, Clay, Parke, Putnam, and Vigo Counties

Jeffrey A. Thompson, District 28, Boone, Hendricks, and Montgomery Counties

W. Vern Tinchler, District 46, Clay, Monroe, Owen, and Vigo Counties

Gerald R. Torr, District 39, Hamilton County

P. Eric Turner, District 32, Grant, Hamilton, Howard, Miami, and Tipton Counties

Dennis A. Tyler, District 34, Delaware County

John D. Ulmer, District 49, Elkhart County

Rochelle L. VanDenburgh, District 19, Lake, Newton, and Porter Counties

Jackie S. Walorski, District 21, Elkhart and St. Joseph Counties

Peggy M. Welch, District 60, Brown, Greene, and Monroe Counties

David A. Wolkins, District 18, Elkhart, Kosciusko, and LaGrange Counties

Roll Call 1: 99 present; Representative W. Trent VanHaaften, District 76, Gibson, Posey, and Vanderburgh Counties, was excused. The Speaker announced a quorum in attendance.

## ORGANIZATION OF SECOND REGULAR SESSION

### HOUSE MOTION

Mr. Speaker: I move that a committee of four members be appointed by the Speaker to notify the Senate that the House of Representatives has met, has formed a quorum, and is now prepared to proceed with legislative business and to receive any communications which the Senate may transmit.

STILWELL

Motion prevailed. The Speaker appointed Representatives VanDenburgh, Simms, Friend, and Richardson.

### COMMITTEE REPORT

Mr. Speaker: Your committee which was appointed by the Speaker to notify the Senate that the House has met, has formed a quorum, and is prepared to proceed with the legislative business and to receive any communications which the Senate may transmit, respectfully reports that it has performed the duties assigned.

VAN DENBURGH  
SIMMS

FRIEND  
RICHARDSON

Report adopted.

### HOUSE MOTION

Mr. Speaker: I move that a committee of four members be appointed by the Speaker to act with a like committee of the Senate, to wait upon the Governor, to notify him of the organization of both Houses of the General Assembly, and to inform him that they are ready for the transaction of legislative business.

STILWELL

Motion prevailed. The Speaker appointed Representatives Porter, GiaQuinta, Buell, and Elrod.

### COMMITTEE REPORT

Mr. Speaker: Your committee which was appointed by the Speaker to act with a like committee of the Senate to wait upon the Governor, to notify him of the organization of both Houses of the General Assembly, and to inform him that they are ready

for the transaction of legislative business begs leave to report that they have performed the duties assigned to them.

PORTER  
GIA QUINTA

BUELL  
ELROD

Report adopted.

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the following motion:

"I move that Senators Boots, Walker, Breaux, and Deig be appointed as a committee of four members of the Senate to notify the House of Representatives that the Senate has met, has formed a quorum, and is now prepared to proceed with legislative business and to receive any communications which the House of Representatives may transmit."

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the following motion:

"I move that Senators Lubber, Charbonneau, Rogers, and Arnold be appointed as a committee of four members of the Senate to act with a like committee of the House of Representatives to wait upon the Governor and to notify him of the convening of both Houses of the General Assembly and to inform him that they are ready for the transaction of legislative business and to learn from him when it will suit his convenience to submit whatever communication he may offer to the General Assembly."

MARY C. MENDEL  
Principal Secretary of the Senate

#### HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 8, 2008, at 1:30 p.m.

OXLEY

The motion was adopted by a constitutional majority.

### RECEIPT OF ENROLLED ACTS VETOED

#### MESSAGE FROM THE CLERK OF THE HOUSE

Mr. Speaker and Members of the House: After adjournment *sine die* of the First Regular Session of the 115th General Assembly, Governor Daniels vetoed HEA 1429 and HEA 1274. Both enrolled acts were returned to the House by Governor Daniels and received by me, pursuant to Article 5, Section 14(a)(2)(D) of the Indiana Constitution.

CLINTON McKAY  
Principal Clerk of the House

#### MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House: By the authority vested in me as Governor of Indiana, under the provisions of Article 5, Section 14, of the Constitution of the State of Indiana, I do hereby veto House Enrolled Act 1429, enacted during the regular session of the 115th General Assembly. The bill would increase fees paid to attorneys in cases where Medicaid liens are recovered. It mandates a three-fold increase in the lawyers' share of recoveries in certain personal injury cases where a Medicaid lien exists against any compensation a plaintiff might obtain, with no demonstrable prospect that *total recoveries* (to reimburse

Medicaid) would increase as a result. The more likely outcome of higher attorney fees would be less money flowing back to taxpayers and the Indiana Patients Compensation Fund.

Date: May 4, 2007

MITCHELL E. DANIELS, JR.  
Governor

#### MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House: By the authority vested in me as Governor of Indiana, under the provisions of Article 5, Section 14, of the Constitution of the State of Indiana, I do hereby veto House Enrolled Act 1274, enacted during the regular session of the 115th General Assembly, which would limit the Indiana State Police's flexibility in making available vehicle accident reports in an efficient and cost-effective manner.

This bill, which was opposed by both the Indiana State Police and the Indiana Criminal Justice Institute, would put at risk the substantial financial savings—estimated to \$1.1 million annually—that have been achieved by the state's new electronic accident reporting system, savings that have been used to put new state troopers on the road. In addition, it would jeopardize Indiana's outstanding data and technical reporting performance, as recognized by the National Highway and Traffic Safety Administration.

Date: May 9, 2007

MITCHELL E. DANIELS, JR.  
Governor

### APPOINTMENT OF COMMITTEES

The Speaker announced the following changes in appointments to standing committees:

Courts and Criminal Code: Representative Steuerwald replacing Representative Foley;

Education: Representative VanDenburgh replacing Representative Candelaria Reardon;

Elections and Apportionment: Representative VanDenburgh replacing Representative Avery;

Government and Regulatory Reform: Representative Steuerwald replacing Representative Murphy;

Insurance: Representative Murphy replacing Representative Bell;

Judiciary: Representative Pierce replacing Representative VanHaften as Vice Chair and Representatives Avery and Klinker replacing Representative VanHaften and former Representative Cheney as members of the committee;

Labor and Employment: Representative Niezgodski replacing former Representative Cheney as Chair and Representative Leonard replacing Representative Bell as Ranking Minority Member;

Local Government: Representative VanDenburgh replacing Representative GiaQuinta;

Public Policy: Representative GiaQuinta replacing former Representative Kuzman as a member of the committee and Representative Bell replacing former Representative Whetstone as Ranking Minority Member;

Roads and Transportation: Representative Tincher replacing Representative Stilwell;

Rules and Legislative Procedures: Representative Foley replacing former Representative Whetstone as Ranking Minority Member; Representatives VanHaaften and Torr replacing former Representatives Kuzman and Whetstone as members of the committee;

Ways and Means: Representative Goodin replacing former Representative Kuzman as Vice Chair, Representative Klinker replacing Representative Goodin as Chair of the K-12 Subcommittee, Representative Stemler replacing Representative Klinker as Chair of the Higher Education Subcommittee, and Representative Candelaria Reardon replacing former Representative Kuzman as a member of the committee.

## RULES SUSPENSIONS

### HOUSE MOTION

Mr. Speaker: I move that House Rule 104 be suspended for the purpose of immediately introducing and assigning House Bill 1001 and House Joint Resolution 1 to the Committee on Ways and Means.

### PELATH

The Speaker ordered the roll of the House to be called to determine whether the motion was seconded by a constitutional majority as required by House Rule 8. Roll Call 2: yeas 95, nays 4. The motion was duly seconded.

The Speaker ordered the roll of the House to be called to determine whether the motion to suspend the rule carried by a two-thirds vote as required by House Rule 8. Roll Call 3: yeas 94, nays 5. The motion, having carried by a two-thirds vote, prevailed. Rule 104 was suspended.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bill and joint resolution were read a first time by title and referred to the respective committees:

**HB 1001** — Crawford, Espich

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HJR 1** — Crawford, Espich

Committee on Ways and Means

A JOINT RESOLUTION proposing an amendment to Article 10 of the Indiana Constitution concerning taxation.

*Be it resolved by the General Assembly  
of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Fifteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 10, SECTION 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 1. (a) The General Assembly shall provide, by law, for a uniform and equal rate of property assessment and taxation and shall prescribe regulations to secure a just valuation for taxation of all property, both real and personal. The General Assembly may exempt from property taxation any property in any of the following classes:

(1) Property being used for municipal, educational, literary, scientific, religious, or charitable purposes.

(2) Tangible personal property other than property being held as an investment.

(3) Intangible personal property.

(4) Tangible real property, including curtilage, used as a principal place of residence by an:

(A) owner of the property;

(B) individual who is buying the tangible real property under a contract; or

(C) individual who has a beneficial interest in the owner of the tangible real property.

(b) The General Assembly may exempt any motor vehicles, mobile homes, airplanes, boats, trailers, or similar property, provided that an excise tax in lieu of the property tax is substituted therefor.

(c) As used in this subsection and subsection (f), "homestead property" means real property improvements or a mobile or manufactured home that is owned (or is being purchased on contract) and used by an individual as the individual's principal residence. The term includes land on which the improvements or mobile or manufactured home is situated not exceeding one (1) acre. The term includes a principal residence that is owned by a trust in which the individual has a beneficial interest. The General Assembly may provide the credits, deductions, exemptions, and filing obligations in connection with the assessment and taxation of homestead property as are prescribed by law.

(d) The maximum amount of property tax on any tangible property may not exceed three percent (3%) of the property's value as last assessed.

(e) As used in this subsection, "residential rental property" means real property that is regularly rented for residential purposes for periods of thirty (30) days or more. The maximum amount of property tax on any residential rental property may not exceed two percent (2%) of the property's value as last assessed.

(f) The maximum amount of property tax on homestead property may not exceed one percent (1%) of the property's value as last assessed.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 1

Representatives Stilwell and Friend introduced House Concurrent Resolution 1:

A CONCURRENT RESOLUTION to allow the House of Representatives and the Senate of the 115th Indiana General Assembly to adjourn and recess separately throughout the Second Regular Session for periods exceeding three (3) consecutive days as they need, in the judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, respectively.

*Whereas, The Indiana House of Representatives and the Senate meet for the purpose of organization of each house to conduct the public business of the people of the State of Indiana;*

*Whereas, The House of Representatives and the Senate operate on their own respective schedules, having been separated from each other under IC 2-2.1-1-3;*

*Whereas, During the consideration of legislative business, each house may, in the respective judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, consider it necessary to adjourn and recess for periods exceeding three (3) consecutive days and to operate on a schedule different from the other house;*

*Whereas, Article 4, Section 10 of the Constitution of the State*

*of Indiana states that neither house shall, without consent of the other, adjourn for more than three (3) consecutive days;*

*Whereas, Each house desires to consent to any adjournment or recess by the other house that might last more than three (3) days during the Second Regular Session of the 115th Indiana General Assembly; and*

*Whereas, The House of Representatives and the Senate intend to recess after November 20, 2007, until January 8, 2008, to conduct legislative business: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That each house of the 115th Indiana General Assembly hereby consents to any adjournment or recess of the other house during the Second Regular Session of the 115th Indiana General Assembly for a period exceeding three (3) days, if the recess or adjournment is approved, in the case of the House of Representatives, by the Speaker of the House of Representative, or, in the case of the Senate, by the President Pro Tempore of the Senate.

SECTION 2. That the Principal Clerk of the House of Representatives is directed to inform the Senate of the passage of the resolution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Long and R. Young.

### House Resolution 1

Representatives Bauer, Stemler, and Eberhart introduced House Resolution 1:

A HOUSE RESOLUTION honoring those Representatives who died while serving in the Indiana House of Representatives.

*Whereas, A memorial plaque hangs in the House Chamber to recognize Edmund Hogan, John Dunbar, Nathaniel Huntington, Jay Morehouse, Theodore C. Cone, James L. Lynd, William M. Templeton, William G. Brenner, William Shields, George Boon, George Piercy Jr., Marshall Smith Wines, Ezekiel L. Dunbar, Jared Darrow, David B. Wheeler, Marble S. Cameron, John Yarnall, Callin McKinney, Henry Hostetter, Joseph W. Holliday, Bradford Glazebrook, Isaac H. Morris, Thomas G. Boydston, Nelson G. Shaffer, James A. Ghormley, Patrick Henry Lee, Alonzo A. Morrison, Henry S. Perrette, William Wesley Browning, Charles Lyle Drummond, Elias Holliday Owen, William Lee Sarber, Carl Frederick William Frick, Asa E. Matthews, John Fletcher McClure, George L. Saunders, Lew S. Core, Erasmus Tucker Sage, Charles J. McCullough, Floyd L. Roush, James Alphonso Moody, Jesse Otterbein Flock, Henry Gesell Strickland, Dan O. Gettinger, Gene R. Eckerty, Leo Malcolm Dennis, Henry C. Fitzgerald, Howard Westcott Ewbank, C. Orville Phillips, James Sherman Hunter, Wilma J. Fay, John Francis Mahoney, Marion J. Bushemi, Robert Lambert Jones Jr., Elwood Brown Fifield, Doris Lorene Phipps Dorbecker, Robert Ray Aller, Orville H. Moody, George Edward Cook, Joseph W. Summers, Walter John Roorda, Philip Tipton Warner, Gloria J. Woods Goeglein, William Roland Stine, James L. Bottorff, R. Tiny Adams, and Jack R. Clem who died while serving their constituencies in the House of Representatives;*

*Whereas, These Representatives have helped to shape the past, present, and future of our state;*

*Whereas, Their dedicated service has resulted in many of the laws we live by today; and*

*Whereas, The legacies of these public servants will stand as*

*inspirations to those who follow in their footsteps: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives places this plaque in the House Chambers to honor the memory of those members who have died while serving the citizens of Indiana.

The resolution was read a first time and adopted by voice vote.

### House Resolution 2

Representative Murphy introduced House Resolution 2:

A HOUSE RESOLUTION honoring Cathy Parise on her retirement from the Indiana House of Representatives.

*Whereas, Cathy Parise began working for the Indiana House of Representatives in 1981 as an assistant to the "bubble" attorneys;*

*Whereas, Cathy Parise continued in this capacity throughout the 1982, 1983, and 1984 sessions of the General Assembly;*

*Whereas, During the 1985 session, Cathy Parise began working as an executive assistant to Speaker of the House J. Roberts Dailey, a position she resumed when Representative Paul S. Mannweiler became Speaker of the House;*

*Whereas, When Speaker Mannweiler left the Indiana General Assembly in 2001, Cathy Parise assisted various House members;*

*Whereas, She is currently working for Representatives Michael B. Murphy, David N. Frizzell, and Robert W. Behning; and*

*Whereas, The members of the Indiana House of Representatives realize that they are losing a valued friend and member of the legislative family and will miss her greatly: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives thanks Cathy Parise for all her hard work and dedication to the members of the House of Representatives and wishes her well in all her future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Cathy Parise and her family.

The resolution was read a first time and adopted by voice vote.

### House Resolution 3

Representative Cheatham introduced House Resolution 3:

A HOUSE RESOLUTION recognizing Janet Somerville Ewing on the occasion of her 104th birthday.

*Whereas, Janet Somerville Ewing will celebrate the 104th anniversary of her birth on December 2, 2007;*

*Whereas, Born in 1903, Janet Somerville Ewing has witnessed many things in life, including the influenza epidemic of 1918, the Great Depression, Americans landing on the moon, and five wars;*

*Whereas, Janet Somerville Ewing and all older Hoosiers can offer all of us tremendous insight into the history of our state and play an important role in establishing a feeling of connection to our past for the younger generations of the state of Indiana; and*

*Whereas, It is fitting and proper that special recognition be given to someone who has lived for 104 years: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives congratulates Janet Somerville Ewing on her special day and wishes her continued health and happiness for many years to come.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Janet Somerville Ewing.

The resolution was read a first time and adopted by voice vote.

## RULES SUSPENSION

### HOUSE MOTION

Mr. Speaker: I move that, in accordance with Indiana Constitution, Article 4, Section 18, solely for HB 1010, a true and accurate copy of which is attached hereto, the Constitutional provision requiring all bills be read on three separate days be dispensed with and that the House Rules listed below be suspended so that House Bill 1010 need not be printed, need not be referred to committee, may be read the second time by title, considered engrossed, read the third time, and placed upon its passage:

House Rule 59.1, Notice of meetings;  
House Rule 60, Announcement of meeting;  
House Rule 104, Time to file;  
House Rule 110, Numbering;  
House Rule 113, Referral to a committee;  
House Rule 123, Record of committee vote;  
House Rule 130, First printing;  
House Rule 141, Calendar of bills;  
House Rule 142, Eligibility;  
House Rule 143, Calling down on second reading; and  
House Rule 144, Engrossment.

PELATH

*[Journal Clerk's Note: attached to the motion to suspend the rules was a copy of HB 1010 as introduced.]*

The Speaker ordered the roll of the House to be called to determine whether the motion was seconded by a constitutional majority as required by House Rule 8. Representative Murphy was excused from voting, pursuant to House Rule 46. Roll Call 4: yeas 89, nays 7. The motion was duly seconded.

The Speaker ordered the roll of the House to be called to determine whether the motion to suspend the rule carried by a two-thirds vote as required by House Rule 8. Representative Murphy was excused from voting, pursuant to House Rule 46. Roll Call 5: yeas 90, nays 7. The motion, having carried by a two-thirds vote, prevailed. The constitutional rule and House Rules listed were suspended.

## INTRODUCTION OF BILLS

The following bill were read a first time by title:

**HB 1010** — Crawford, Espich

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

## HOUSE MOTION

Mr. Speaker: I move that Representatives Battles and Tyler be added as coauthors of House Bill 1010.

CRAWFORD

Motion prevailed.

## HOUSE BILLS ON SECOND READING

### House Bill 1010

Representative Crawford called down House Bill 1010 for second reading. The bill was read a second time by title. There being no amendments, the bill was considered engrossed.

## ENGROSSED HOUSE BILLS ON THIRD READING

### Engrossed House Bill 1010

Representative Crawford called down Engrossed House Bill 1010 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Representative Murphy was excused from voting, pursuant to House Rule 46. Roll Call 6: yeas 94, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Kenley, Hume, Meeks, Skinner, and Mrvan.

The House recessed briefly.

The House reconvened.

## OTHER BUSINESS ON THE SPEAKER'S TABLE

### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bill 1010 and the same is herewith returned to the House.

MARY C. MENDEL  
Principal Secretary of the Senate

### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 1 and the same is herewith returned to the House.

MARY C. MENDEL  
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative VanDenburgh, the House adjourned at 3:00 p.m., this twentieth day of November, 2007, until Tuesday, January 8, 2008, at 1:30 p.m.

B. PATRICK BAUER  
Speaker of the House of Representatives

CLINTON McKAY  
Principal Clerk of the House of Representatives